

STATE OF ALABAMA

Department of Corrections
Inmate StationeryIN THE UNITED STATES DISTRICT COURT FOR RECEIVED
THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION2008 JUN 26 A 10:29
DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

WILLIAM AARON ROLLINS *

Plaintiff *

v. * 1:08-CV-33-MHT

COMMANDER REED et al *

Defendant *

*

REQUEST FOR EXTENSION OF TIME TO RESPOND

Comes Now the Plaintiff, William Aaron Rollins #161962 in the above-styled cause moves the Honorable District Court of Alabama to grant permission for an extension to file the Responsive Motion In Opposition to Summary Judgement. ARCo.P. 6(e).

Plaintiff states the following as grounds:

1. Plaintiff had recently filed for an extension of time on the date of June 17, 2007, but the District Clerk recognized a filing error regarding the absence of the attached "Certificate of Service" and so advised the Plaintiff in a notice received on June 20, 2008.

2. Plaintiff claims "excusable neglect" for the said error mainly because of the intervening circumstances he has faced by his enrollment to the SAP treatment program, which has hindered much of his access to the courts (access during the weekdays to the institution's law library.)

3. Plaintiff's "Responsive Motion" expiration date of June 24, 2008 by order of the Court could have been otherwise met under regular circumstances if the Plaintiff was bestowed

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the privilege of an certified attorney to appear on his behalf. However, due to him being a "pro se" litigant, the acts specified by order of the Court that was implemented on 5/12/2008 demands readily available sources to fully construct his responsive report. In any case, Plaintiff contends that his Motion In Opposition to Summary Judgement is in it's final stages of preparation and copies of the material evidence is in the process of being prepared so that all of the Plaintiff's relevant claims will provide exclusive evidentiary references.

4. The Plaintiff's funding for commencement of this action is non-existent. Therefore, Plaintiff seeks the necessary relief due to he has faced the dilemma of the delivery of the "legal mail" has been limited to a designated mailing and posting date for the inmates at Ventress Corr. Facility. The process of providing free postage and handling of legal mail is done only on Wednesday of each week which was also the primary reason the Plaintiff delayed the submitting of this underlying request for an extension.

5. Plaintiff requires at least 10 additional days to file the ordered response so that he may accumulate source material concerning 42 USC § 1997 e(a) of the Prison Litigation Reform Act so that the District Court's Magistrate specific order to adequately address this issue will be coherent with current law.

Respectfully submitted on the 24th day of June in the year 2008 of the Lord.

N266

STATE OF ALABAMA

Department of Corrections
Inmate Stationery

William Rollins "Pro Se"

William A. Rollins # 161962 - CI-61A

C/O Ventress Correctional Facility

P.O. Box 767

Clayton, AL 36016

- CERTIFICATE OF SERVICE -

I, William A. Rollins hereby certify that I have served a copy of the foregoing Request for Extension upon the Defendants' attorney for the referenced case matter....

Gary C. Sherrer, 335 West Main Street, Dothan, Alabama 36301, by placing a copy of the same in the U.S. Mail postage paid and properly addressed on this 24th day of June, 2008,

NAME William Rollins AIS # 161962 DORM # CL-61A
VENTRESS CORRECTIONAL FACILITY
P. O. BOX 767
Clayton, AL 36016



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"Legal Mail"

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